

REMARKS

The present amendment substitutes for the earlier version of Amendment E, filed on or about 12/21/2005.

Applicants have prepared the application for allowance after final rejection, depending the retained claims from one or more of allowed claims 18-20 and 29-31.

While applicants do not concur with the 35 U.S.C. 112, first paragraph, rejection of claims 15, 39 and 40 as lacking a sufficiently enabling disclosure and for the reasons earlier detailed in the remarks accompanying Amendment D, since broader claims not limited to the specific numbers recited in these claims have been allowed, it appears unnecessary to contest these claims further. It is for that reason that these claims have been withdrawn.

Claims 1-6, 8-11, 13, 15, 21, 22, 24-25, 32-33 and 34 have been rejected under 35 U.S.C. 102(e) as "anticipated by Rhoads et al", and claims 7, 12, 14, 16, 17, 23, 28 and 34 as "obvious" linking of advertisements therein as in the patent to Elisawa.

In advancing these grounds, the Office has specifically noted that it has ignored claim limitations to "specific types of data" and to "MP3" as allegedly carrying "no patentable weight".

Again, while not concurring in these views, particularly since Rhoads et al, for the reasons offered, never used or could even use these types of supplemental data, applicants have chosen not to contest the specific language of

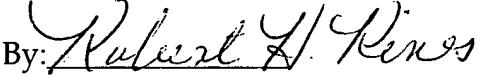
these claims further, but rather to base these claims on the language approved in one or more of the allowed claims by rendering them dependent thereon, -- this being done in a sincere effort to secure allowance of their patent after six long years of pendency in the Office.

Since each of retained claims 2-14, 19, 22, 25, 26, 28 and 32-34 now depends from an allowed claim, each is clearly also allowable; and therefore reconsideration and allowance are respectfully requested.

Any costs required by this filing, including for any required reply time extensions, petition for which is hereby made, may be charged to Deposit Account No. 18-1425 of the undersigned attorneys.

Very respectfully,

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